

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC
CORRECTED
SECOND AMENDED MASTER SHORT
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS AND
DEMAND FOR JURY TRIAL

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364). Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:
Shantel Brockman-Brown

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:
N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):
N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:
Virginia

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Virginia

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Virginia

7. District Court and Division in which venue would be proper absent direct filing:

Eastern District of Virginia, Norfolk Division

8. Defendants (check Defendants against whom Complaint is made):

C.R. Bard Inc.

 Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

□ Other:

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

 Recovery® Vena Cava Filter

G2® Vena Cava Filter

G2® Express Vena Cava Filter

G2® X Vena Cava Filter

Eclipse® Vena Cava Filter

Meridian® Vena Cava Filter

□ Denali® Vena Cava Filter

1 Other: _____

2 11. Date of Implantation as to each product:

3 December 3, 2007

4 12. Counts in the Master Complaint brought by Plaintiff(s):

5 Count I: Strict Products Liability – Manufacturing Defect

6 Count II: Strict Products Liability – Information Defect (Failure
7 to Warn)

8 Count III: Strict Products Liability – Design Defect

9 Count IV: Negligence – Design

10 Count V: Negligence – Manufacture

11 Count VI: Negligence – Failure to Recall/Retrofit

12 Count VII: Negligence – Failure to Warn

13 Count VIII: Negligent Misrepresentation

14 Count IX: Negligence *Per Se*

15 Count X: Breach of Express Warranty

16 Count XI: Breach of Implied Warranty

17 Count XII: Fraudulent Misrepresentation

18 Count XIII: Fraudulent Concealment

19 Count XIV: Violations of Applicable Virginia Law

20 Prohibiting Consumer Fraud and Unfair and Deceptive

21 Trade Practices

22 Count XV: Loss of Consortium

23 Count XVI: Wrongful Death

24 Count XVII: Survival

25 Punitive Damages

26 Other(s): _____ : (please state the facts
27 supporting this Count in the space immediately below)

28 _____

1 _____
2 _____
3 13. Jury Trial demanded for all issues so triable?

4 Yes
5 No

6 RESPECTFULLY SUBMITTED this 8th day of August, 2018

7 **BERTRAM & GRAF, L.L.C.**

8 9 By: /s/ Benjamin A. Bertram

10 Benjamin A. Bertram
11 (admitted *pro hac vice*)
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14
15
16 **CERTIFICATE OF SERVICE**

17 I hereby certify that on this 8th day of August 2017, I electronically
18 transmitted the attached document to the Clerk's Office using the CM/ECF System for
19 filing and transmittal of a Notice of Electronic Filing.
20
21
22

23 /s/ Benjamin A. Bertram
24 Attorney for Plaintiff